

Message Text

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PAGE 01 BOGOTA 06764 221559Z
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E.O. 11652: N/A
TAGS: CARR
SUBJECT: LEGAL REPRESENTATION AVAILABLE TO AMERICANS
ARRESTED ABROAD.

REF: STATE 147704

1. ANSWERS TO QUESTIONS POSED REFTEL ARE:

(A) PUBLIC DEFENDERS, APPOINTED AND FUNDED BY THE GOC ARE
AVAILABLE TO ALL PERSONS UNDERGOING TRIAL IN THE BOGOTA
DISTRICT.

(B) SUCH REPRESENTATION IS READILY AVAILABLE UPON REQUEST.
THE JUDGE UNDERTAKING THE PRELIMINARY INTERROGATION FOLLOWING
THE ARREST WILL, IF ASKED, SELECT A LAWYER'S NAME FROM A LIST
PREPARED ESPECIALLY FOR THIS PURPOSE.

(C) THIS POST HAS HAD ONLY ONE CASE OF AMCIT DEFENDED BY A COURT
APPOINTED LAWYER. COURT APPOINTED LAWYERS USUALLY ARE NEW IN
THE PROFESSION. SINCE JUDGES "TRY" CASE BY RECEIVING, RE-
VIEWING AND RULING ON WRITTEN SUBMISSIONS AND MOTIONS PREPARED
BY THE PROSECUTION AND DEFENSE ATTORNEYS IT IS DIFFICULT TO
ESTABLISH ANY POSSIBLE NEGLIGENCE OF DUTY.

2. AN IMPORTANT FACTOR IN DRUG RELATED CASES IS
REFUSAL OF BEST LAWYERS TO TAKE SUCH CASES. CONSEQUENTLY,
WE BELIEVE PERFORMANCE OF PRIVATELY HIRED LAWYERS AND PUBLIC
DEFENDERS IN DRUG CASES IS LIKELY TO BE GENERALLY THE SAME.
IN NON-DRUG RELATED CASES, THE ABILITY OF AVAILABLE PRIVATELY
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PAGE 02 BOGOTA 06764 221559Z

HIRED LAWYERS IS SUPERIOR TO THAT OF PUBLIC DEFENDERS.
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Disposition Case Number: n/a
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